

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GARY LAMONT HOLT, JR.)
)
v.) NO. 3-09-1154
) JUDGE CAMPBELL
DAVIDSON COUNTY SHERIFF'S)
OFFICE, et al.)

ORDER

Pending before the Court are four Reports and Recommendations (Docket Nos. 80, 83, 84 and 86). Plaintiff has filed Objections which appear to relate to Docket No. 86. *See* Docket No. 90.

The first Report and Recommendation (Docket No. 80), to which no Objections have been filed, is adopted and approved. Accordingly, Defendant Davidson County Sheriff's Office's Motion to Dismiss (Docket No. 69) is GRANTED, and Plaintiff's claims against the Davidson County Sheriff's Office are DISMISSED.

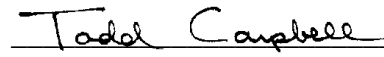
The second Report and Recommendation (Docket No. 83), to which no Objections have been filed, is adopted and approved. Accordingly, the Motion to Strike (Docket No. 65) filed by Defendant ABL Food Management ("ABL") is DENIED.

The third Report and Recommendation (Docket No. 84), to which no Objections have been filed, is adopted and approved. Accordingly, Plaintiff's Motion to Amend Complaint and Have Defendants Properly Served (Docket No. 73) is DENIED.

The final Report and Recommendation (Docket No. 86), to which Plaintiff has filed Objections, recommends that Defendant ABL's Motion for Summary Judgment be granted. Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Report and

Recommendation is rejected, and the Court recommitts the case to the Magistrate Judge to consider Plaintiff's Objections (Docket No. 90). The Magistrate Judge shall then file a Report and Recommendation addressing in detail Plaintiff's First Amendment claim for injury to his constitutional right and any related *respondeat superior* issues.

IT IS SO ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE